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Attorney for Plaintiff

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

IN RE: UBER TECHNOLOGIES, INC.,
PASSENGER SEXUAL ASSAULT
LITIGATION

Case No. 3:23-md-03084-CRB

This Document Relates to:

B.L. v. Uber Technologies, Inc., et al.,
No. 24-cv-7940

**JOINT STIPULATION REGARDING
AMENDMENT TO COMPLAINT,
EVIDENTIARY LIMITATIONS, AND
EXPERT WITHDRAWAL**

Judge: Hon. Charles R. Breyer
Courtroom: Courtroom 6 – 17th Floor

1 Plaintiff B.L. and Defendants Uber Technologies, Inc., *et al.* (the “Parties”), by and through their
 2 undersigned counsel, stipulate and agree as follows:

3 **A. Amendment to Complaint to Remove Colorectal/Anal Injury Allegations.**

- 4 1. Within 3 days of execution of this stipulation Plaintiff will file an Amended
 5 Complaint removing all allegations, claims, and damages premised on colorectal,
 6 rectal, or anal injuries, including but not limited to the development of an anal
 7 fissure and hemorrhoids (the “alleged colorectal injuries”).
- 8 2. Plaintiff shall not, absent leave of Court, add or modify any other claims, parties,
 9 alleged injuries, or theories in the Amended Complaint.
3. Defendants’ existing responsive pleadings are deemed responsive to the Amended
 4 Complaint except as to the removed alleged colorectal injuries, and no further
 5 response is required.

10 **B. Exclusion of All Evidence Regarding the Alleged Colorectal Injuries.**

- 11 1. No Party, attorney, or witness shall elicit testimony, introduce exhibits, argue,
 12 suggest, or otherwise refer, during any portion of the trial to:
 - 13 a. Plaintiff’s May 21, 2025 rectal surgery with Dr. Fleeger;
 - 14 b. Any colorectal or anal injury, condition, symptom, treatment, or surgery;
 15 or
 - 16 c. Any alleged physical injuries arising from the alleged digital penetration
 17 or any other alleged forcible penetration of Plaintiff’s anus.
- 18 2. Factual information, evidence and/or exhibits, previously disclosed in this case,
 19 evidencing Plaintiff’s reports and/or statements reporting that the Uber driver
 20 digitally penetrated her anus during the assault shall be admissible.
- 21 3. Counsel shall instruct all fact and expert witnesses to comply with this limitation.

22 **C. No Admissions; Reservation of Rights.**

- 23 1. This Stipulation is a compromise to streamline the case. It constitutes no
 24 admission of liability, causation, or damages by any Party. All other claims,
 25 defenses, and objections are preserved.

26 **D. Withdrawal of Defendants’ Colorectal Surgeon Expert.**

- 27 1. In light of the agreements detailed above, Defendants hereby withdraw the
 28 designation of Matthew Kalady, M.D. as an expert witness. No Party will call Dr.
 29 Kalady at trial or rely on his opinions or report in any motion, hearing, or at trial.

30 **IT IS SO STIPULATED.**

1 DATED: October 22, 2025

Respectfully submitted,

2 */s/ Laura Vartain Horn*

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16 DATED: October 22, 2025
17
18 *Attorneys for Defendants*
19 UBER TECHNOLOGIES, INC.,
RASIER, LLC, And RASIER-CA, LLC

20 Respectfully submitted,

21 */s/ Sommer D. Luther*
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24 *Attorney for Plaintiff*

ATTESTATION OF CONCURRENCE

I, Laura Vartain Horn, as the ECF user and filer of this document, attest that pursuant to Civil Local Rule 5-1(i)(3), concurrence in the filing of this document has been obtained from all signatories.

DATED: October 22, 2025

/s/ Laura Vartain Horn

Laura Vartain Horn